

1 DAVID R. ZARO (BAR NO. 124334)
TED FATES (BAR NO. 227809)
2 TIM C. HSU (BAR NO. 279208)
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3 MALLORY & NATSIS LLP
515 South Figueroa Street, Ninth Floor
4 Los Angeles, California 90071-3309
Phone: (213) 622-5555
5 Fax: (213) 620-8816
E-Mail: dzaro@allenmatkins.com
6 tfates@allenmatkins.com
thsu@allenmatkins.com

7 Attorneys for Plaintiff
8 WILLIAM J. HOFFMAN, Receiver

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION**

12 WILLIAM J. HOFFMAN, Court-
appointed permanent receiver for
13 Nationwide Automated Systems, Inc.,
Oasis Studio Rentals, LLC, Oasis Studio
14 Rentals #2, LLC, Oasis Studio
Rentals #3, LLC, and their subsidiaries
15 and affiliates,

16 Plaintiff,

17 v.

18 JEFFREY FIRESTONE, an individual;
and WANTANA FIRESTONE, an
19 individual,

20 Defendants.

Case No. 2:15-cv-8486-SJO-FFM

DECLARATION OF TIM C. HSU IN
SUPPORT OF REQUEST FOR ENTRY
OF DEFAULT OF DEFENDANTS
JEFFREY FIRESTONE AND
WANTANA FIRESTONE

Judge: Hon. S. James Otero

DECLARATION OF TIM C. HSU

I, Tim C. Hsu, declare as follows:

1. I am an attorney at the law firm of Allen Matkins Leck Gamble Mallory & Natsis LLP, counsel of record for Plaintiff William J. Hoffman of Trigild, Inc. ("Receiver"), the Court-appointed permanent receiver for Nationwide Automated Systems, Inc. ("NASI"), Oasis Studio Rentals, LLC, Oasis Studio Rentals #2, LLC, Oasis Studio Rentals #3, LLC, and their subsidiaries and affiliates (collectively with NASI, "Receivership Entities").

2. This Declaration is made in support of the Receiver's Request for Entry of Default of Defendants Jeffrey Firestone and Wantana Firestone (together, "Defaulting Defendants"). I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify to such facts under oath.

3. This action was commenced with the filing of the Complaint on October 30, 2015. Copies of the Summons and Complaint issued by this Court were duly served on Defaulting Defendants on November 3, 2015, by way of personal service at the address of 305 Libre Street, Oxnard, CA 93030, as evidenced by the proofs of service on file with this Court and designated as Docket Nos. 11 and 12. True and correct copies of these proofs of service on file with this Court for Defaulting Defendants are attached hereto as **Exhibit A**.

4. Shortly after service was effectuated, I had a phone conversation with Jeffrey Firestone on November 4, 2015, where we discussed the matter and possible settlement based on Defaulting Defendants' having submitted a financial hardship application to the Receiver. During that call, I reminded him of the obligation to file a timely responsive to the Complaint, and I sent a follow up email to Jeffrey Firestone on the same day to document our discussion. A true and correct copy of my November 4, 2015 email is attached hereto as **Exhibit B**.

5. After having received no further communications from Jeffrey Firestone, I sent him two additional emails on November 17 and November 23,

1 2015, to remind him of the upcoming deadline to file a timely response to the
 2 Complaint. I did not receive any responses to these emails. True and correct copies
 3 of my November 17 and November 23, 2015 emails are attached hereto as Exhibit
 4 C.

5 6. On November 25, 2015, after the deadline for Defaulting Defendants to
 6 file a timely response to the Complaint had passed, I prepared and sent a letter to
 7 them, by way of overnight FedEx and email, to inform Defaulting Defendants that
 8 the Receiver intends to take their defaults and subsequently seek entry of judgment
 9 thereon, and further requested that they contact me immediately. True and correct
 10 copies of my November 25, 2015 letter, along with proofs of delivery from FedEx
 11 and my email sending an electronic copy of the letter to Jeffrey Firestone, are
 12 attached hereto as Exhibit D.

13 7. As of the date of this filing, I have received no indication from
 14 Defaulting Defendants as to whether they intend to appear in this action or file any
 15 pleadings in response to the Complaint.

16
 17 Dated: December 1, 2015

ALLEN MATKINS LECK GAMBLE
 MALLORY & NATSIS LLP
 DAVID R. ZARO
 TED FATES
 TIM C. HSU

18
 19
 20 By: /s/ Tim C. Hsu

21 TIM C. HSU
 22 Attorneys for Receiver
 23 WILLIAM J. HOFFMAN
 24
 25
 26
 27
 28

EXHIBIT A

TED FATES, ESQ
 ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP
 501 WEST BROADWAY, 15TH FLOOR
 SAN DIEGO, CA 92101
 (619) 233-1155

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

WILLIAM J. HOFFMAN, ET AL.

v.

JEFFREY FIRESTONE, ET AL.

CASE NUMBER:
 2:15-cv-8486-JAK-AJW

PROOF OF SERVICE
 SUMMONS AND COMPLAINT
 (Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

<input checked="" type="checkbox"/> summons	<input type="checkbox"/> first amended complaint	<input type="checkbox"/> third party complaint
<input checked="" type="checkbox"/> complaint	<input type="checkbox"/> second amended complaint	<input type="checkbox"/> counter claim
<input type="checkbox"/> alias summons	<input type="checkbox"/> third amended complaint	<input type="checkbox"/> cross claim
<input checked="" type="checkbox"/> other SEE ATTACHED DOCUMENT LIST		
2. Person served:
 - a. ☒ Defendant (name:) JEFFREY FIRESTONE, AN INDIVIDUAL
 - b. ☐ Other (specify name and title or relationship to the party/business named):
 - c. ☒ Address where the papers were served: 305 LIBRE STREET
OXNARD, CA 93030
3. Manner of Service in compliance with (the appropriate box must be checked):
 - a. ☒ Federal Rules of Civil Procedure
 - b. ☐ California Code of Civil Procedure
4. I served the person named in Item 2:
 - a. ☒ By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
 1. ☒ Papers were served on (date): 11/03/2015 at (time): 04:58 pm
 - b. ☐ By Substituted Service. By leaving copies:
 1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
 2. ☐ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
 3. ☐ Papers were served on (date): at (time):
 4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
 5. ☐ papers were mailed on
 6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant.
 - c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

Nationwide Legal, LLC
110 West C. St., Suite 1211
San Diego, CA 92101
Phone: (619) 232-7500 Fax: (619) 232-7600

Continued from Proof of Service

CASE #: 2:15-cv-8486-JAK-AJW

DATE: November 6, 2015

CASE NAME: WILLIAM J. HOFFMAN, ET AL. VS. JEFFREY FIRESTONE, ET AL.

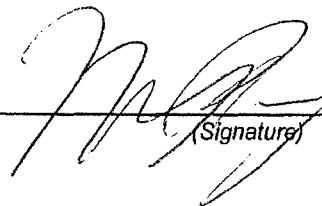
Summons; Complaint; Civil Cover Sheet; Notice of Related Case Under Local Rule 83-1.3.1; Notice to Parties of Court-Directed ADR Program; Certification and Notice of Interested Parties; Notice of Assignment to United States Judges

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service.)**
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): at (time):
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (name, address and telephone number):
- NANCY CHRISTINE PERRY**
Nationwide Legal, LLC
110 West C. St., Suite 1211
San Diego, CA 92101
(619) 232-7500
- a. Fee for service: \$ **150.00**
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server
Registration # : **304**
County: **VENTURA**
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: November 6, 2015

NANCY CHRISTINE PERRY
Type or Print Server's Name


(Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

TED FATES, ESQ
 ALLEN MATKINS LECK GAMBLE MALLORY & NATSIS LLP
 501 WEST BROADWAY, 15TH FLOOR
 SAN DIEGO, CA 92101
 (619) 233-1155

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

WILLIAM J. HOFFMAN, ET AL.

v.

JEFFREY FIRESTONE, ET AL.

CASE NUMBER:
 2:15-cv-8486-JAK-AJW

**PROOF OF SERVICE
 SUMMONS AND COMPLAINT**
 (Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☒ summons ☐ first amended complaint ☐ third party complaint
☒ complaint ☐ second amended complaint ☐ counter claim
☐ alias summons ☐ third amended complaint ☐ cross claim
☒ other **SEE ATTACHED DOCUMENT LIST**

2. Person served:

- a. ☒ Defendant (name:) **WANTANA FIRESTONE, AN INDIVIDUAL**
 b. ☐ Other (specify name and title or relationship to the party/business named):

- c. ☒ Address where the papers were served: **305 LIBRE STREET
 OXNARD, CA 93030**

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☒ Federal Rules of Civil Procedure
 b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☒ By **Personal Service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
1. ☒ Papers were served on (date): **11/03/2015** at (time): **09:03 pm**
- b. ☐ By **Substituted Service**. By leaving copies:
1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
2. ☐ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
3. ☐ Papers were served on (date): at (time):
4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
5. ☐ papers were mailed on
6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant.
- c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

Nationwide Legal, LLC
110 West C. St., Suite 1211
San Diego, CA 92101
Phone: (619) 232-7500 Fax: (619) 232-7600

Continued from Proof of Service

CASE #: 2:15-cv-8486-JAK-AJW

DATE: November 6, 2015

CASE NAME: WILLIAM J. HOFFMAN, ET AL. VS. JEFFREY FIRESTONE, ET AL.

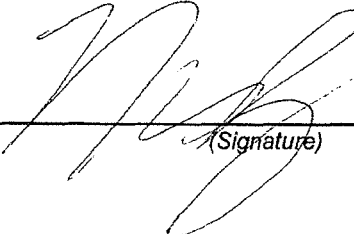
Summons; Complaint; Civil Cover Sheet; Notice of Related Case Under Local Rule 83-1.3.1; Notice to Parties of Court-Directed ADR Program; Certification and Notice of Interested Parties; Notice of Assignment to United States Judges

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service.**)
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served.**)
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): at (time):
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served.**)
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served.**)
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (*name, address and telephone number*):
- NANCY CHRISTINE PERRY**
Nationwide Legal, LLC
110 West C. St., Suite 1211
San Diego, CA 92101
(619) 232-7500
- a. Fee for service: \$ **150.00**
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server
 Registration # **304**
 County: **VENTURA**
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: **November 6, 2015**

NANCY CHRISTINE PERRY
 Type or Print Server's Name


 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

EXHIBIT B

Hsu, Tim

From: Hsu, Tim
Sent: Wednesday, November 4, 2015 4:53 PM
To: 'jlfirestone@yahoo.com'
Cc: Fates, Ted
Subject: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486
Attachments: NASI_FHA_Jeffrey Firestone_Needs List.docx

Mr. Firestone,

As per our discussion, please find attached a list of documents that are missing from your hardship application. These documents need to be provided as soon as possible in order to ensure that your application may be reviewed and processed timely.

Additionally, we had discussed a possible stipulation to extend the time for you and Wantana Firestone to respond to the complaint. Please note that we cannot agree to such a stipulation until we have received all of the necessary documents to evaluate your hardship application. Thus, please provide the requested documents as soon as possible and feel free to contact me directly if you have any questions regarding the request.

Sincerely,

Tim C. Hsu

Allen Matkins Leck Gamble Mallory & Natsis LLP
515 South Figueroa Street, 9th Floor
Los Angeles, CA 90071
(213) 622-5555 - main
(213) 955-5516 - direct
(213) 620-8816 - fax
www.allenmatkins.com

Allen Matkins

EXHIBIT C

Hsu, Tim

From: Hsu, Tim
Sent: Tuesday, November 17, 2015 5:38 PM
To: 'jlfirestone@yahoo.com'
Cc: Fates, Ted
Subject: FW: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486
Attachments: NASI_FHA_Jeffrey Firestone_Needs List.docx

Mr. Firestone,

I have not received any response to my email below requesting the additional records and documents that were missing from your hardship application. As I mentioned previously, your deadline to respond to the Complaint is coming up soon, and we cannot stipulate to any extension of that deadline unless we have received all documents for the hardship application. Please provide the requested documents as soon as possible (a list of the requested documents is attached again for your reference).

If you have any questions about this, please let me know.

Tim

From: Hsu, Tim
Sent: Wednesday, November 4, 2015 4:53 PM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

As per our discussion, please find attached a list of documents that are missing from your hardship application. These documents need to be provided as soon as possible in order to ensure that your application may be reviewed and processed timely.

Additionally, we had discussed a possible stipulation to extend the time for you and Wantana Firestone to respond to the complaint. Please note that we cannot agree to such a stipulation until we have received all of the necessary documents to evaluate your hardship application. Thus, please provide the requested documents as soon as possible and feel free to contact me directly if you have any questions regarding the request.

Sincerely,

Tim C. Hsu

Allen Matkins Leck Gamble Mallory & Natsis LLP
515 South Figueroa Street, 9th Floor
Los Angeles, CA 90071
(213) 622-5555 - main
(213) 955-5516 - direct
(213) 620-8816 - fax
www.allenmatkins.com

Allen Matkins

Hsu, Tim

From: Hsu, Tim
Sent: Monday, November 23, 2015 11:49 AM
To: 'jlfirestone@yahoo.com'
Cc: Fates, Ted
Subject: RE: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

I still have not received any response from you despite multiple requests that you provide additional records to support your hardship application. As it stands, the deadline for you to file a response to the Complaint in this action is tomorrow. If we do not receive the requested records by tomorrow, or if you do not file a timely response to the Complaint, we will move to seek the entry of your default and a default judgment against you.

Tim

From: Hsu, Tim
Sent: Tuesday, November 17, 2015 5:38 PM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: FW: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

I have not received any response to my email below requesting the additional records and documents that were missing from your hardship application. As I mentioned previously, your deadline to respond to the Complaint is coming up soon, and we cannot stipulate to any extension of that deadline unless we have received all documents for the hardship application. Please provide the requested documents as soon as possible (a list of the requested documents is attached again for your reference).

If you have any questions about this, please let me know.

Tim

From: Hsu, Tim
Sent: Wednesday, November 4, 2015 4:53 PM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

As per our discussion, please find attached a list of documents that are missing from your hardship application. These documents need to be provided as soon as possible in order to ensure that your application may be reviewed and processed timely.

Additionally, we had discussed a possible stipulation to extend the time for you and Wantana Firestone to respond to the complaint. Please note that we cannot agree to such a stipulation until we have received all of the necessary

documents to evaluate your hardship application. Thus, please provide the requested documents as soon as possible and feel free to contact me directly if you have any questions regarding the request.

Sincerely,

Tim C. Hsu

Allen Matkins Leck Gamble Mallory & Natsis LLP

515 South Figueroa Street, 9th Floor

Los Angeles, CA 90071

(213) 622-5555 - main

(213) 955-5516 - direct

(213) 620-8816 - fax

www.allenmatkins.com

Allen Matkins

EXHIBIT D

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
515 South Figueroa, 9th Floor | Los Angeles, CA 90071-3309
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Tim C. Hsu
E-mail: thsu@allenmatkins.com
Direct Dial: 213.955.5516 File Number: 374464-00018/LA1030777.01

Via FedEx and Electronic Mail

November 25, 2015

Mr. Jeffrey Firestone
Ms. Wantana Firestone
305 Libre Street
Oxnard, CA 93030
Email: jlfirestone@yahoo.com

Re: *William J. Hoffman, Court-Appointed Permanent Receiver v. Jeffrey Firestone and Wantana Firestone*
United States District Court, Central District of California
Case No. 2:15-cv-8486-SJO-FFM
Notice of Failure to Respond to Complaint and Receiver's Intent to Seek Entry of Default and Default Judgment

Mr. and Ms. Firestone:

As you know, our firm represents plaintiff William J. Hoffman as Court-appointed receiver ("Receiver"), in the above-referenced United States District Court action. The Receiver was appointed permanent-receiver for Nationwide Automated Systems, Inc. ("NASI"), Oasis Studio Rentals, LLC, Oasis Studio Rentals #2, LLC, Oasis Studio Rentals #3, LLC, and their subsidiaries and affiliates (collectively with NASI, "Receivership Entities"), in that Securities and Exchange Commission enforcement action styled as *Securities and Exchange Commission v. Nationwide Automated Systems, Inc., et al.*, U.S.D.C., C.D. Cal. Case No. 2:14-cv-7249-SJO-FFM.

On October 30, 2015, the Receiver filed a Complaint for fraudulent transfer against you. These claims are brought in connection with the fraudulent transfers of over \$240,000 in funds out of the Receivership Entities. A copy of the Complaint, along with the Summons issued by the Court, is attached for your reference.

On November 3, 2015, the Complaint and Summons were personally served to you at 305 Libre Street, Oxnard, California. Copies of the related proofs of service on file in this action are enclosed.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Mr. Jeffrey Firestone
Ms. Wantana Firestone
November 25, 2015
Page 2

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, you had until November 24, 2015 to file and serve a responsive pleading to the Complaint. As of the date of this letter, no such pleading has been filed or served. As a consequence, the Receiver intends to seek the entry of default and default judgment against you in this action, and will file a request to do so with the Court by December 1, 2015. Please advise immediately if you intend to file a response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim C. Hsu', with a stylized flourish at the end.

Tim C. Hsu

TCH:ml
Enclosures

cc: Edward G. Fates, Esq.
via electronic mail only

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and am not a party to this action. My business address is 515 South Figueroa Street, Ninth Floor, Los Angeles, California 90071-3309.

On November 25, 2015, I served the within document(s) described as:
**Notice of Failure to Respond to Complaint and Receiver's Intent to
 Seek Entry of Default and Default Judgment** on the interested parties in this action as stated below:

Jeffrey Firestone
 Ms. Wantana Firestone
 305 Libre Street
 Oxnard, CA 93030
 Email: jlfirestone@yahoo.com

Defendants

☒ **BY OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by FedEx, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelopes or packages designated by the express service carrier, addressed as indicated above on the above-mentioned date, with fees for overnight delivery paid or provided for.

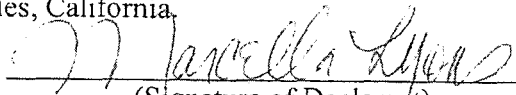
☐ **BY MAIL:** I placed a true copy of the document in a sealed envelope or package addressed as indicated above on the above-mentioned date in Los Angeles, California for collection and mailing pursuant to the firm's ordinary business practice. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on and in accordance with a court order or agreement of the parties to accept service by e-mail or electronic transmission, I caused a true copy of the document to be sent to the persons at the corresponding electronic address as indicated above on the above-mentioned date. My electronic notification address is mlyons@allenmatkins.com. I am readily familiar with this firm's Microsoft Outlook electronic mail system and did not receive any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 25, 2015, at Los Angeles, California.

 Marcella Lyons
 (Type or print name)


 (Signature of Declarant)

Hsu, Tim

From: Hsu, Tim
Sent: Wednesday, November 25, 2015 4:55 PM
To: 'jlfirestone@yahoo.com'
Cc: Fates, Ted
Subject: RE: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486
Attachments: 2015-11-25 Ltr to Mr and Mrs. Firestone.pdf

Mr. Firestone,

Please find attached a letter being sent to you and Ms. Wantana Firestone today.

Tim

From: Hsu, Tim
Sent: Monday, November 23, 2015 11:49 AM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: RE: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

I still have not received any response from you despite multiple requests that you provide additional records to support your hardship application. As it stands, the deadline for you to file a response to the Complaint in this action is tomorrow. If we do not receive the requested records by tomorrow, or if you do not file a timely response to the Complaint, we will move to seek the entry of your default and a default judgment against you.

Tim

From: Hsu, Tim
Sent: Tuesday, November 17, 2015 5:38 PM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: FW: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

I have not received any response to my email below requesting the additional records and documents that were missing from your hardship application. As I mentioned previously, your deadline to respond to the Complaint is coming up soon, and we cannot stipulate to any extension of that deadline unless we have received all documents for the hardship application. Please provide the requested documents as soon as possible (a list of the requested documents is attached again for your reference).

If you have any questions about this, please let me know.

Tim

From: Hsu, Tim
Sent: Wednesday, November 4, 2015 4:53 PM
To: 'jlfirestone@yahoo.com' <jlfirestone@yahoo.com>
Cc: Fates, Ted <tfates@allenmatkins.com>
Subject: Hoffman v. J.Firestone, et al; Case No. 2:15-cv-8486

Mr. Firestone,

As per our discussion, please find attached a list of documents that are missing from your hardship application. These documents need to be provided as soon as possible in order to ensure that your application may be reviewed and processed timely.

Additionally, we had discussed a possible stipulation to extend the time for you and Wantana Firestone to respond to the complaint. Please note that we cannot agree to such a stipulation until we have received all of the necessary documents to evaluate your hardship application. Thus, please provide the requested documents as soon as possible and feel free to contact me directly if you have any questions regarding the request.

Sincerely,

Tim C. Hsu
Allen Matkins Leck Gamble Mallory & Natsis LLP
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Los Angeles, CA 90071
(213) 622-5555 - main
(213) 955-5516 - direct
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